

RESPONSE

Claims 1-13 are pending in this case. Claims 1-13 have been rejected under 35 USC 103(a) as being unpatentable over Boone et al. taken with various combinations of Long, Jr., Turner et al., Gallaway, Kuehn III et al., and Dye. The Examiner has also objected to the use of underlined reference numbers in the specification and has required replacement pages without underlined reference numbers.

Referring first to the objection by the Examiner, Applicant would be pleased to provide replacement pages without underlined reference numbers provided the Examiner cites some authority for objecting to underlined reference numbers. Applicant's attorney has been submitting patent applications with underlined reference numbers for 15 years without objection from the Patent Office. A citation to an appropriate Patent Office authority is requested.

Referring now to the rejection of Claims 1-13 under the teachings of Boone et al., in combination with various other references, applicant respectfully submits that Boone et al. is not an appropriate reference. The rejection states that Boone et al. teach a method of pumping an oil well, comprising the steps of continuously running an engine, connecting the engine to a pump assembly and determining a selected event to actuate the clutch, and further that Boone et al. teach a pumping assembly for maintaining hydrocarbon production from a well, comprising an engine, a pump assembly, a clutch and a control unit. Long, Jr. is cited for teaching an air clutch equipped with inflatable air bladders.

The rejection, however, fails to note that the clutch taught by Boone et al. is an electromagnetic clutch (e.g., Col. 4, lines 46-50) whereby the speed of the pumping unit can be controlled (see, e.g., Col. 3, lines 65-67, as an object of the invention; Col. 4, lines 35-45) so that a maximum speed can be maintained at a variety of load conditions without overloading the pumping unit components with a concomitant failure of the pumping unit (Col. 6, lines 17-33).

The pneumatic clutch taught and claimed by applicant (see, e.g., page 4, lines 18-25) and by Long, Jr., (Col. 4, lines 61-68 and Col. 5, lines 1-11) acts only to engage/disengage a driving member with a load member and does not provide any speed control as required by Boone et al. Accordingly, Boone et al. provides no motivation to combine the teachings of Boone et al. with the teachings of Long, Jr.

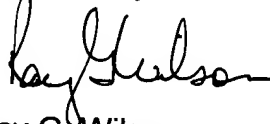
Replacing the electromagnetic clutch taught by Boone et al. with the pneumatic clutch taught by Long, Jr. would not provide the speed control that is an object of the Boone et al. invention and would render Boone et al. unsatisfactory for its intended purpose of variable speed control to maintain a maximum speed suitable for a variety of load conditions.

As noted in MPEP 2143.01, a proposed modification can neither render the prior art reference unsatisfactory for its intended purpose nor change the principle of operation of the reference. In this case, applying the pneumatic clutch of Long, Jr. to the pumping assembly of Boone et al. would not provide the variable speed capability that is available with the electromagnetic clutch taught by Boone et al. and such a modification would change the principle of the Boone et al. invention and deprive Boone et al. of the variable speed control that is required for its intended purpose. The rejection of Claims 1-13 under Boone et al. combined with Long, Jr. and the various other references cannot be sustained.

The Examiner is respectfully requested to allow Claims 1-13 and to pass this case to issue.

Applicant's attorney would be pleased to discuss any of the issues herein with the Examiner if the Examiner believes such a discussion would assist in placing this case in condition for allowance.

Respectfully submitted,



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